

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
AT CEDAR RAPIDS DIVISION**

CRST EXPEDITED, INC.,

Plaintiff,

v.

TRANSAM TRUCKING, INC.

Defendant.

No. 1:16-CV-00052-LTS

**JOINT MOTION FOR EXTENSION OF
TIME TO SUBMIT PROPOSED
SCHEDULING ORDER, DISCOVERY
PLAN, AND RELATED ISSUES FOR
THE COURT’S CONSIDERATION
FOLLOWING REMAND**

Plaintiff CRST Expedited, Inc. (“Plaintiff” or “CRST”) and Defendant TransAm Trucking, Inc. (“Defendant” or “TransAm”) (together, the “Parties”) jointly move for a seven (7) day extension of time to submit a proposed scheduling order, discovery plan, trial-ready date, and summary or list of pending issues or motions for the Court’s consideration or ruling following remand, either jointly, if mutually agreed-upon by the parties, or individually, if not. The Parties state the following in support of their request:

1. Pursuant to the Court’s July 28, 2020 Minute Order, the Parties were scheduled to submit by August 11, 2020, either jointly, if mutually agreed-upon by the parties, or individually, if not, a proposed scheduling order, discovery plan, trial-ready date, and summary or list of pending issues or motions for the Court’s consideration or ruling now that the case has been remanded to this Court from the Eighth Circuit Court of Appeals.

2. On August 10, 2020, severe weather occurred in Cedar Rapids, Iowa, where CRST and its counsel are located, and caused widespread severe damage and electrical power outages, including outages at the offices of Plaintiff’s counsel. At the time of the filing of this Motion, the

electrical service had not yet been restored. CRST's counsel is not sure when such service will be restored.

3. Due to the power outage, Plaintiff's counsel's phone system, network servers, internet and email are unavailable, and it is unclear when power and access to counsel's systems and phones will be restored. As a result, CRST's counsel is unable to complete or file its preparation of the proposed scheduling order, discovery plan, trial-ready date, and summary or list of pending issues or motions for the Court's consideration or ruling following remand that is due to be filed with the Court as of August 11, 2020.

4. Given the constraints imposed by the power outage, CRST's counsel contacted Defendant's counsel the morning of August 11, 2020 to request an extension of time for the Parties to submit their joint or individual proposed scheduling order, discovery plan, trial-ready date, and summary or list of pending issues or motions for the Court's consideration or ruling following remand.

5. Defendant's counsel is agreeable to extending the current deadline. Because Defendant's lead counsel has a planned vacation from Thursday, August 13, 2020, through Monday, August 17, 2020, and because it is not clear when power will be restored to CRST's counsel's offices, the Parties agreed to extend the deadline up to and including Tuesday, August 18, 2020, to give both Parties sufficient time to complete and submit to the Court their joint or individual proposed scheduling order, discovery plan, trial-ready date, and summary or list of pending issues or motions for the Court's consideration or ruling following remand.

6. This is the Parties' first request for an extension of time to submit their joint or individual proposed scheduling order, discovery plan, trial-ready date, and summary or list of

pending issues or motions for the Court's consideration or ruling following remand, and is not made for purposes of delay.

7. No other deadlines are set in this matter.

WHEREFORE, the Parties respectfully request an extension up to and including August 18, 2020 to submit their joint or individual proposed scheduling order, discovery plan, trial-ready date, and summary or list of pending issues or motions for the Court's consideration or ruling following remand, and for any other such relief that this Court deems just.

Respectfully submitted,

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/s/ Brenda G. Hamilton

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on August 11, 2020, I filed the foregoing with the Clerk of Court using the ECF system which will send notification of such filing to all attorneys and parties of record.

/s/ Brenda G. Hamilton
Attorney for Defendant